

Exhibit C

RESPONSES TO ALLEGATIONS

December 16, 2016

My core beliefs and values have been attacked in these allegations and it is necessary that I explain some of my beliefs regarding my own area of expertise, physical education, as a preface to my responses. It is absolutely imperative that people from every race, age, gender, disability, sexual orientation and religion are included in the education of physical education and sports. Our society and culture must be exposed to students, athletes, teachers and coaches from diverse backgrounds and belief systems. This exposure strengthens the knowledge and skills of every member of the society and gives rise to an understanding and acceptance of everyone's ideas and unique contributions.

I am, therefore, shocked and appalled by the allegations listed that blatantly attack my core philosophy and belief system concerning the role of females in physical education and sports. Every physical education course nationwide must include information on Title IX; therefore, it is my commitment and responsibility to teach every physical education student at UVU about the importance and value of Title IX and how it has positively shaped the landscape of physical education and sports in the schools and universities across the nation. For that reason, the following allegations are particularly alarming and disturbing to me as a professor of physical education teachers.

I have taught at Utah Valley University since August of 2003. A group of students, including two listed in these allegations [REDACTED] and [REDACTED] began their accusations to Title IX in the spring semester of 2016.

That investigation never produced any results that I am aware of and I question why the same students are able to repeatedly accuse me of violations when I have taught at UVU for 14 years without any accusations of this type. It seems as though repeat accusers can make allegations multiple times against the same person without facing any consequences for making up falsehoods and damaging the reputation of a faculty member. Additionally, since I never received any conclusive letter concerning the investigation that involved [REDACTED] and others, I question why I would be scheduled to teach this class with these students that had made Title IX allegations against me in spring semester 2016 without receiving any clear results from the Title IX office.

I also want to make some additional comments about myself at this time. It is apparent that I am also from protected classes according to Title IX. My country of birth origin is not the United States even though I am now a citizen of the United States. Many students and faculty know my country of birth origin and it is apparent that I am Muslim since over 97% of my country's population is Muslim. Additionally, I have an accent. During my years at UVU, I have had some distressing and upsetting situations with another faculty member in my same department, Dr. Shaunna McGhie. This faculty member has often talked disparagingly about me and my teaching to students that we both teach during

her classes and outside of her classes. It became so intolerable at one point that my chair, Shaunna McGhie and myself went to Dean Sam Rushforth and she was told not to continue to enter my classes or talk to students about my teaching. This occurred around 2006. Unfortunately, her unprofessional conduct did not stop. Over the years, since that time, I have tolerated her coming uninvited into my classes, talking behind my back with students and inciting students against me. When this has been told to the department chairs, little or no action has been taken to quell her unprofessional conduct. My department chairs (past and present) and I know that many of the students involved in this Title IX investigation have talked with this faculty member about my classes, my teaching and my personal reputation. Also, I know that this faculty member has been speaking about me since I have had former students tell me that this faculty member encouraged talking negatively about me inside her classes and outside of her classes. It is for this reason, that I believe the students listed above have formed a group to misinterpret, misquote and rely on hearsay to create false statements and allegations to condemn not only my teaching, but also my core principles and values. To many misinformed and prejudiced people it may seem plausible that a male from my country of origin would say the comments against women in the allegations listed, however, I am absolutely not this type of person. I embrace diversity and wholeheartedly believe in the access to education for everyone. It sad, however, that it seems as though these students convoluted and twisted my comments to fit their own prejudiced and biased perceptions of what they think a male Muslim may say or think about women. I too deserve protection since I have been ridiculed and treated with disrespect many times from these students and others, including my colleague Shaunna McGhie, during my time at UVU.

Additionally, I must clarify some issues concerning the class from which these allegations come. During the fall semester, I was assigned to teach their [REDACTED] & [REDACTED] class, PETE 4250 & PETE 4260 only days before the class started in August 2016. My name was listed to teach these two classes on my schedule online (MYUVU) on August 19, 2016 while all of my other courses had been scheduled months before this date. It is very unusual for a full time tenured faculty member to find out about the classes he/she will be teaching only a couple days before the class begins. I had talked several times to my chairperson, Michale Bohne and my supervisor/coordinator at the time, Shaunna McGhie about whether I would be teaching this class before August 2016. This particular class has been a point of contention because even though I was hired at UVU to teach secondary physical education courses, which these two classes are a major part of, my colleague, Dr Shaunna McGhie has been trying to take this class away from me and teach it herself for at least the last four years. In May of 2015, I was even requested to go to mediation sessions conducted by Laura Carlson with Shaunna McGhie to argue who would teach this class. Additionally, before the start of classes in August of 2016, I told my Chairperson, Michael Bohne, several times that I did not want to teach this class because of Shaunna's insistence on teaching it herself and that he should just let her teach

it. I told him to make her happy and to give me any lower level courses. Instead, I was given the class to teach with very little preparation time. Even though Shaunna McGhie was warned not to talk to students disparaging about me over the course of several years, she continued meeting with my students from the PETE 4250 & 4260 courses and talked with students about what was going on in my classes during fall 2016. She even sent an email on October 3, 2016 to Michael Bohne complaining to him that I was not meeting course objectives in my PETE 4260 and that I was putting students' grades in jeopardy in that class. On October 4, 2016, Michael Bohne forwarded that email on to me to make sure that I was meeting the class objectives for PETE 4260. On October 5, 2016, I met with Michael Bohne in my office to talk about this email. I asked him how she was learning all the information about what was going on in my class. She hadn't asked me or him about what was going on in my classes. She was obviously getting information from students to support her claims that I was not meeting the course objectives. At this meeting, Michael Bohne said that he had the same question and that he was going to talk to her about this. Additionally, at this meeting, he added that Shaunna McGhie would no longer be my supervisor. He added that from now on I should talk to him, not her, about any issues or problems in my classes. If this discussion had not happened, I wouldn't even have known officially that she was not my supervisor any more.

My responses to the allegations are listed in detail below. Additionally, I would like to request that the following students be questioned about the events of the PETE 4250 & 4260 classes of fall 2016. Please, contact and question the following students to objectively complete the investigation. Also, I would like to be informed officially of the results of this investigation and the consequences for students who have falsely accused me.

Allegation 1. Telling a male student to go up and help a female student with the computer and repeatedly stating that "boys are good with technology."

This statement is taken out of context and significant parts of the comments are missing. On November 2, 2016, I used a similar statement, "males/boys are good with technology" as positive reinforcement for a male student and I used the same statement changing the subject to females, "females/girls are good with technology too" as positive reinforcement for a female student within minutes of each other.

On that specific day, I had prepared a number of video files on badminton for the students to use for their presentations for our class. Because the files were originally on the Mac system, we had difficulties opening files on the Windows system. When I was at the computer I had tried several softwares that could only run video or audio, not both at the same time. The softwares did not allow the computer to run simultaneously the audio and video parts of the file. After I finished my presentation, students started working in their groups for about 5 minutes, at the end, I asked which students from the 2 groups would find and play their related videos on the computer. The first group sent [REDACTED]. When [REDACTED] came he opened the file and the software was playing the video part of the file and not the audio file again. He then tried another software to open the same file. At this time, he figured out that this software allowed to play only the audio part of the file and not the video part of the file. It was an awkward situation but he accomplished running two separate software for the same file to allow us to watch simultaneously both the audio and video files. Because I was not able to open the audio files while the video files were playing when I was at the computer, I said, "[REDACTED] you are very good with technology. Good job! Boys/Males are good with technology. I am really impressed with what you did."

When a female student, [REDACTED] was chosen by her group and sent to the computer to find and open their related video on the computer's desktop, I said, "[REDACTED] you can come and help her because you did a really good job. Boys/Males are good with the technology." [REDACTED] went to the computer and immediately opened the file before [REDACTED] could even get up. I said, "girls/females are good with technology too. Good job [REDACTED]. I couldn't even get it to open. You guys are much better than me." Please ask [REDACTED] and/or students from his group to explain this specific situation. His group included the following students:

In addition, these statements were only made on this date, November 2, 2016 and were certainly not made "repeatedly" on other dates. It is disconcerting that students were so driven to find fault with their teacher that they would knowingly take this comment out of context and not explain all of the comments that were made thereby significantly changing the meaning. Comments that were meant to be positive reinforcement for both genders are misconstrued and misinterpreted in the above allegation to defame my reputation. I can only ask myself if the situation described above is really a legitimate reason to suspend a tenured faculty member from his job?

Allegation 2. Ignoring female students when they ask questions

I have never ignored a student's question in class, based on gender. I always address every student's question in class and encourage all students to come to my office after class if they have questions or do not understand the material. In fact, two of the students cited in these allegations [REDACTED] and [REDACTED]

[REDACTED], came to my office during November 2016 to ask questions about class assignments. I gave them instruction and feedback spending at least 20 minutes. In addition, please refer to Allegation 4 for additional information related to this allegation.

Allegation 3. When a female answers a question in class, saying their answer is wrong, but when a male answers the same question, saying their answer is right

Since there is little to no specific information concerning this allegation, it is difficult to address it in detail. In my entire history as a teacher, I have never said that a correct answer to a question is incorrect because of an individual's gender. If an answer is correct, it is correct regardless of a person's gender. If an answer is incorrect, it is incorrect regardless of a person's gender. I ask many questions during my classes. Is it not possible that a person of either gender could answer a question incorrectly? Furthermore, to suggest that I would say that a correct answer is incorrect would be in direct opposition to my goal as a teacher. It is my objective and responsibility as a teacher to disseminate correct information to my students. Telling students that a correct response to a question is incorrect is just as deceitful as telling a student that an incorrect response is correct. My mission as a teacher is to provide the correct and pertinent information for all students to learn the content of the course. The gender of a student is irrelevant to whether their answer to a question is correct or incorrect.

Allegation 4. Refusing to provide feedback and assistance to female students on homework and class assignments.

In my PETE 4250 syllabus, I am very clear about project criteria and deadlines. It is specifically stated in the syllabus that the unit plan and block plan for this semester were due on Monday, October 10, 2016. On that date, not a single student in this class had submitted either of these plans in the designated folder in the Dropbox that all students are invited to have access to. On November 2 or November 7, 2016, I told students that I had been checking the Dropbox and nobody had submitted any assignments yet. I told them not to leave all of these assignments until the end of the semester because I wouldn't be able to provide them feedback and that they wouldn't have time to develop/revise their assignments to make them better. Then, instead of starting to complete the required unit plan and block plan that were due first, some students, [REDACTED] and [REDACTED] started to complete only one of the required 5 lesson plans and uploaded their work to the Dropbox before any other students in the class. These students submitted, individually, only one lesson plan each on the dates between November 7 – 12, 2016. In addition, please note that the entire group of 5 lesson plans were to be completed and submitted on or before Thursday, November 17, 2016 so that we could work on revising them until the final due date on December 12, 2016. These three students had only submitted a rough draft of one lesson plan, with parts missing

and incorrect/ineffective explanations, on the dates between November 7 – 12, 2016. Please note that the unit plan and block plan, which are significant parts of their required portfolio, should have been submitted weeks before and was still not submitted. (Please refer to the attached course syllabus.)

These three students sat next to each other throughout the entire semester. While I was looking at these three students' lesson plans, it was evident that they had copied some sections from each other. The subject content was different, however, they had copied parts of the objectives and several other content descriptions. Since the students' lesson plans were so similar to each other, I selected the best of the three students' submitted lesson plans to make comments to provide specific feedback in class. It is imperative to mention here that I spent at least a total of 4 hours making corrections to this lesson plan. The times and dates are documented in my comments in the Microsoft Word document. (Please, refer to this file attached to this statement.) This document specifically records the time and date of all my comments. It is evident from this document that I put a great deal of time and energy into providing corrective feedback to students in this class. Even after class, I made additional comments and provided even more feedback on this specific lesson plan, which was available as an example for the entire class on Dropbox.

During the class, I asked students if it was okay for me to use one student's lesson plan as an example to provide feedback. The student's name was not given and was not visible to the class. All three students, who had submitted lesson plans, agreed that it was okay to use one student's lesson plan as an example in order to provide the whole class with feedback so they could better complete their own lesson plans, individually. After I asked this question, I told these three students that if they don't accept me to provide feedback to everyone in the class, that I would sit down individually with each one of them after class on that day and discuss their individual lesson plans. Again, they agreed that it was okay to use one student's lesson plan as an example. Before presenting, I told students that they could ask questions if they didn't understand my comments, however, I didn't want them to make negative comments about my comments on her (s) lesson plan. Then, I showed the lesson plan on the projector and spent about 15 minutes discussing it. I started by talking specifically about lesson plan objectives and right after my first comment, raised her hand and started speaking without permission asking questions about whether students passed the class last year. She said that she had seen their old examples of lesson plans in Dropbox and asked if they had passed the class. I told her to benefit from looking at former student's lesson plans, however, many things had changed in regards to lesson plan writing because of edTPA (Teacher Performance Assessment) requirements that were recently promoted by the UVU School of Education in August, 2016. I also told her that she was pulling the conversation in the wrong direction by focusing on grades and last year's students and that she wasn't focusing on learning how to write an effective lesson plan. I said that students should challenge themselves

to become better and that I was just trying to give helpful comments for them to learn. I told her [REDACTED] that she was focusing on finding my mistakes or weaknesses rather than getting my corrective feedback to make her lesson plan better.

I then continued to speak about the first and second pages of her lesson plan. Since it was close to the end of class and I had not finished my comments, I asked students if I could post the lesson plan with my comments in the Dropbox folder for all students to access later. Again, students accepted this. I added that I didn't have time to spend 4 hours for each lesson plan to give specific feedback for each student, like the last one. But, if any student wants to come to my office, out of class, I would be happy to help them. As soon as this happened, one student, [REDACTED] who is sitting beside [REDACTED] raised her hand and said angrily that she wanted her own lesson plan's feedback. At this point, I felt it was necessary to tell these three students not to copy from each other. It seemed pointless to give feedback to a student who had copied some of her work from the student I had just made comments about since the work was similar. I told them that it was okay to work with each other, however, that it is not acceptable to copy the main part of the lesson plan, which is writing effective objectives. I said that what she had done is almost called plagiarism. I continued by saying that these students are in their 3rd and 4th year at the university and that they should know that they can't just copy and paste each other's work.

Allegation 5. Making comments to others stating "that females don't belong in the Physical Education field"

Again, there is little specific information in the statement above to address it in detail. More specific information is needed to clarify this egregious allegation since I would never make such a comment that undermines my entire career, profession and core values. Who are the "others" in this statement? When and where were these comments made to the "others"? It is clearly not evident who the "others" of the statement is referring to in this instance. This appears as though the students are talking with people inside or outside of our classroom about my class and my philosophy of education. It would be reckless and misguided to take seriously the comments of other people, inside or outside of my class, about their own misguided perceptions of my view of the role of women in physical education. It seems entirely possible that the "others" in this statement are lying to students and/or the students are misinterpreting what the "others" have said. It appears that this entire allegation is based upon hearsay obtained from rumors and gossip from inside or outside of the class. This allegation is blatantly false and clearly threatens my career, values and philosophy of education. It is regretful that students can make such false allegations so easily against the reputation of a faculty member.

Allegation 6. Making comments that "women belong in the kitchen cooking meals"

Because there is a nutritional component in physical education, I sometimes talk about food and/or nutrition with the students. Since there is no indication about when this alleged comment took place, I will recount what I remember from an informal conversation with students during their break one day. This class begins at 8:00 am so some students would bring their breakfast to eat during the break. Around 9:00 am, I would sometimes give students time to have a break and they would eat. During this time, I talked to a small group of students about what they were eating. I said it was good that they had brought something healthy to eat. I asked if they go out to eat usually for lunch or dinner. And they asked me if I go out to eat. I told the students that I don't usually eat out at restaurants very often and that I cook at home with my wife. I told students that fast food is not very healthy. I told them that I call fast food finger food because a lot of it is fried. They asked what kind of food I make at home and I told them that we cook stews with vegetables and meat and I added that they should learn how to cook. At the end of the conversation, one student from the group, either [REDACTED] or [REDACTED] asked me, "Do YOU cook or does your WIFE cook?" I told the students that in my household my wife has learned to cook Turkish food and that she and I share the cooking and washing dishes 50/50. One of the students [REDACTED] then said loudly "GOOOOOOOD!" In conclusion, it is beyond my comprehension how students misinterpreted and came up with the allegation above. I can only believe that they just plainly made this comment up from their own prejudices. I have asked myself many times if this conversation would justify suspending a tenured faculty member.

The following sections addresses the allegations of retaliation.

Allegation 1. That sometime during the first two weeks of the Fall 2016 semester you discussed Title XI with the entire class and stated that the students in the class didn't know the definition of Title XI and what it meant and discussing how two (2) students last semester hurt your feelings and made fun of you

I was lecturing about Chapter 2 from the course textbook, "Instructional Models for Physical Education" by Michael W. Metzler (2011). I was covering the topic of *Inclusiveness* in physical education that is a part of Title IX. I was talking about inclusiveness and diversity from page 34 in the quotes below when one of my students [REDACTED] asked a question.

"The term inclusive describes any class that contains students with greatly differing characteristics, needs, and abilities; all trying to learn at the same time." "Diversity combines nearly every conceivable gender, race, religion, language, ethnicity, learning ability, and physical ability represented by students in our society."

She asked the following question. "Can we separate female and male students in physical education classes and when can we do that?" Even though I was explaining inclusiveness and diversity, that question was focusing on segregation issues that are restricted by Title IX in terms of equities in the gym that was covered in Chapter 3, pages 72-73. I said that even though it was too early to talk about this specific question, I would answer her question that is explained in Chapter 3 because she was curious at that time. I started talking about a part of Chapter 3, Equities and Inequities in physical education in conjunction with Title IX. I read the following directly from the book, "Title IX of the Educational Amendments of 1972 specifically prohibits the segregation of boys and girls in sports and physical education. By implication, it also prohibits many covered practices that made for "separate but unequal" school physical education programs and instruction." After reading the quote, I said that we need to be very careful about segregation issues, otherwise, we could get in trouble while teaching secondary physical education. I added that we not only need to pay attention to Title IX, but we also need to pay attention to inequities in physical education. I asked students how can we be careful about implementing equal opportunity educational needs for all students and then told them about the 6 types of inequities in physical education that Napper-Owen (1994) stated on page 73. I read the following 6 inequities in physical education and gave simple examples.

1. Organizational patterns that favor higher-skilled students (e.g., picking teams with "captains")
2. Gender-separated grouping for instruction (e.g., "The boys can play a game. The girls can stay on the side and practice, or whatever.")
3. Using teaching methods that don't address a variety of student learning preferences (e.g., always using direct instruction)
4. Using teacher-student interaction patterns that favor certain groups of students (e.g., always calling on high-skill students for demonstrations)
5. Using stereotyped (e.g., "girls' push-ups") or biased (e.g., "You throw like a girl") language
6. Inappropriate role modeling by teachers (e.g., "talking down" to girls)

After reading and explaining these types, I said that when we got to Chapter 3, we would talk more about other laws related to physical education classes but that they were now aware of some of the important legal issues in more detail in terms of [REDACTED]'s question. I would like to add at this point that when I was applying gender equity in my activity course during spring 2016, some students without knowing well the meaning of these laws, went and complained about my correct implementation. For instance, when I was trying to make an equal number of females and males when grouping students into game activities in the field during spring 2016, some students were making fun of the situation on that day and during subsequent classes. I continued by saying that these students' actions hurt me. I told students that it is important for them to know the details of Title IX and its seriousness and not to incorrectly accuse any faculty.

2. That on 11/16/2016 you made the following statements to the entire PETE class:

- a. "You have been teaching this class for 14 years and that students will not get rid of you"
- b. You pointed out three students specifically [REDACTED] and another female student [REDACTED] and said "they were trying to get rid of you, and stated that that these three female students shouldn't go around and talk to people in different departments about issues they have with you"
- c. You confirmed to the class that [REDACTED] and [REDACTED] have spoken with other departments by pointing them out to the class, and "saying threatening things" like "they are being prejudice because they went to explain their problems to Title XI and department head"

The quote listed in 2. a., above is obviously not from my mouth. Why would I tell students that they have been teaching this class for 14 years? Whoever made the allegation above should learn to use quotations correctly. Their misuse of quotes is confusing and further complicates the allegations and their meanings. Additionally, the use of quotes is also incorrect in sections b and c above.

Immediately after starting class at 8:00 a.m. on Monday, November 16, 2016, one of my students [REDACTED] said, "Kemal, I have a question... I read the course syllabus that says we can use a videotape file in a local school and/or a peer-teaching episode on campus in order to complete our field experience observation assignments for self-assessments of our teaching episodes." She emphasized again, "there is an and/or, does this mean that we can use one of them or both of them?" I told her that I had spoken to the class 3-4 weeks ago about this and how the students (specifically, [REDACTED] and others) said that they were not allowed to videotape teaching episodes when they were in the local schools. There was a necessary consent form to videotape. I then decided to more clearly specify the requirements of the assignment in the syllabus to allow students to videotape their peer teaching episodes on campus and that these videos would suffice for the assignment, since videotaping in the local schools was an issue for many students. I added that if anyone had already recorded in the public schools that I would accept those video files. I made it clear that they could submit and use either a video file from the public schools or from peer teaching on campus (I was planning to videotape them after Thanksgiving anyway). At this time [REDACTED] raised her hand and aggressively stated, "Ahhhhh! You said that we could not use local school videos and that is why we didn't videotape and NOW you are telling us that we are going to videotape here on campus!" I said that it doesn't matter whether students

individually videotaped their teaching episodes in the local schools or not. was asking whether "and/or" means that you can use either one. I said there is nothing wrong with that. "Yes! You can use either/or and I can accept one of the video files to complete your project assignments." I said that I would be flexible to accept it either one. She blamed me that saying "You changed the course syllabus." She seemed to be indirectly insinuating that I am cheating my own students by changing the syllabus to give them a low grade. I told her that I have never changed a syllabus to deliberately cause issues or difficulties for students. I continued to say that even if I did change any part of the syllabus, I would first of let all of them know it and then, use this change in favor of the students making their job easier, not harder. Also, I told her that I always individually videotape all students' peer teaching episodes on campus at the end of the semester. I then digitize all of these files and upload them to be available for my students in UV CANVAS. This is done so they can work on their own self-assessment assignments on their own time. In the mean time, [REDACTED] asked me another related question, but I intervened saying, [REDACTED] please, let me take care of some of the issues in this class then I will come back to your question." I did this since there had been so many interruptions and antagonistic behaviors from some students on that particular day and throughout the entire semester. It was impossible to continue to ignore their hostilities at that point. I said that I had resisted talking about these problems all semester long and that enough was enough. I continued by asking students if they were coming to class early at 8:00 a.m. to argue with me or if they were coming to learn about teaching physical education. I asked why they were so upset to start arguing right away as soon as class had started.

I asked the entire class, whether I was responsible for making them register and come to class. I told them that they registered for this class voluntarily and that they needed to follow the rules, routines and expectations that were clearly written in the syllabus. I reminded them that I clearly explained these rules, routines and expectations on the first day of class and posted it on Canvas. I told them that I had noticed that some students had not been following the rules. I gave some examples of their off-task behavior, such as many students using computers and cell phones during my presentations when they needed to be paying attention to the content of the course. I also said that it is stated in my syllabus that students should not be using laptops or cell phones if not instructed by the teacher to do so. I continued by saying that I had not bothered them even when they willfully did not participate in class activities. I added that while I had provided specific and corrective feedback for their lesson plans during the previous classes, they had ostentatiously argued and not accepted my comments by bringing up comparisons to the lesson plans and grades of my former students who passed the course last year.

At that point, [REDACTED] who I wasn't even talking to and was sitting next to [REDACTED] who I was speaking to at the time, stood up rapidly in protest, shoved the chair aggressively back with both legs and belligerently stomped to

the back of the table toward the classroom door. I asked, "Where are you going? I didn't give break. We are just talking to solve our problems here." She then raised a plastic water bottle over her head high into the air bringing it down forcefully to throw the bottle into the trash can over 7 feet away. She yelled, "I'm not going ANYWHERE! I am throwing the bottle into the trash!" She came back to her chair and jerked the chair out and sat down. She began grumbling unintelligibly under her breath.

I told the three students [REDACTED], [REDACTED], and [REDACTED] that from the beginning of this semester that they had been looking for my weaknesses and behaving, inappropriately. Also, I told them that they/you guys know what inappropriate behavior is what appropriate behavior is and that they were continuously messing up the classroom atmosphere, changing the classroom atmosphere from positive to negative. I added that no student has the right to do that. I continued to say that throughout the semester their inappropriate behavior included: looking at each other and giggling, laughing and talking during my presentations, asking confrontational/aggressive questions, not participating properly and ridiculing me during class.

I asked the three students [REDACTED] and [REDACTED] if they were talking to other faculty in my department about what goes on in my class. I said that they should come and talk to me if there is something that goes on in my class that they do not like. I said that I have been teaching at UVU for the last 14 years. I asked if they thought they could get rid of me by going around me and talking to other faculty in the department.

I stated that I knew we had had some problems from the last semester (Spring 2016) and that I was trying to solve any problems but that they had been holding a grudge and continued talking about me and my class with other faculty in the department. I continued by saying that I had also tried to go around the problem by being really careful about my actions this semester. I mentioned that I knew that they were talking with other faculty in the department about what was going on in my class. I told them to keep in mind that I was the primary person responsible for my class and when there are problems they need to come to me and solve the problems face-to-face. Or, they should go to the Department Chairperson, Michael Bohne to complain and not go to other faculty in the department.

At the end of my discussion on November 16, 2016, I said that I did not want to extend this conversation, but I would like to say one last thing. I added that when they become professional PE teachers in public schools, that they should never ever talk about and/or gossip about another faculty's teaching. It is a very bad behavior and not acceptable behavior in any professional field. I continued by saying that creating that type of situation would not make them look better in their work area but it would damage their professional reputation worst in the long run. Then, I continued my class presentation on November 16, 2016.

After this class on November 16, 2016, I went to the department chairperson's office to talk about the problems from the class that day. I was also going to ask for his suggestions on what to do about the problems in this class since he already knew about some of the problems there. I saw the department administrative assistant, Corrin Doyle, and she told me that the chairperson was gone to Texas to conduct research. I had no idea that students were going to go to the Title IX Office to complain about me. The allegations listed against me are false and have no legitimate evidence. I should have been the person to complain about Title IX violations. I take my responsibilities as a teacher very seriously and was performing my duties appropriately in adherence to the UVU Classroom Management Policy listed below. My suspension from UVU is not fair since it impeded the instruction of approximately 70 students who were enrolled in my classes this semester.

ADDITIONAL INFORMATION RELATED TO THE ALLEGATIONS

At this time, I would like to add some additional information about the 4 students who all sat next to each other in this class at the same table. They were the source of problems, discord, hostility, and inappropriate behavior, including not participating in the class and with other students. Those 4 students are [REDACTED] and [REDACTED]. Please, note that [REDACTED] and [REDACTED] were really hard working and respectful students in previous classes. Their conduct and demeanor changed drastically now that they were sitting at the table with [REDACTED] and [REDACTED].

Some of the students making the allegations were intentionally not participating in class activities such as answering questions and not paying attention to my lectures. I mentioned above that I had given students a group activity to be presented in the following class and that the students listed above made another student [REDACTED], who was not even in the class the day that we worked on preparing this activity, present the activity to the entire class on the next class date. It was evident that the students [REDACTED] and [REDACTED] had spoken to [REDACTED] outside of class and had convinced her to present even though she was not in the class when we prepared. It is evident that those students were refusing to properly participate in class thereby throwing their responsibility off onto another student who was not even assigned to their group or assigned this specific activity, to present this activity. This was actually the second time that this group of students had refused to participate by making this same student [REDACTED] be their group's designated presenter. They usually tend to choose the same student to present their ideas. This also happened in allegation 1, listed above in the incident about technology.

It should be noted here that [REDACTED] was in my class also with these same students listed above during Spring 2016. She was involved in this group of students at that time when they made complaints/allegations about me. During spring semester and after some difficulties arising from problems with the students listed above, [REDACTED] came to me and said that she was sorry saying, "I am thankful to you and I am learning a lot of things in your class. I am very sorry for what I did to you. I won't be doing it from now on." I thanked her for coming to talk to me and I said that it is forgotten and that we would move on. Once the fall semester started, [REDACTED] did not sit in the group of students listed above, she sat in front of these students at a separate table throughout the semester. But it is important that at least two of the students [REDACTED] mentioned above tend to pull her attention in their ideology and the turmoil.

There was another case of a student coming to me individually and saying that she was sorry. [REDACTED] who has repeatedly accused me in allegations here and in spring 2016, came to apologize to me in spring 2016. [REDACTED] came to me during spring 2016 after class, a class in which [REDACTED] was absent, and said that she was sorry for her past actions. She said that she was sorry for what had happened earlier in the semester and that she had learned a lot in my class. She added that these things shouldn't have happened because they were learning a lot in the class. I thanked her for coming and talking to me and told her not to worry about it. She ended by saying that she would pay more attention to her behavior in the future. It is interesting that [REDACTED] was absent during this class in April 2016. I can only ask why [REDACTED] behavior changed again so drastically in fall of 2016. I ask myself whether she was influenced by [REDACTED] and/or my colleague Shaunna McGhie.

UVU POLICIES

The UVU policies listed below are related to the allegations above. The students and faculty are to conduct themselves according to these policies. It is obvious in my responses to the allegations above that the students accusing me often did not follow the rules within these policies.

Policy Title – Student Rights and Responsibilities Code – Policy # 541

5.3 General Responsibilities - 5.3.1 A student assumes the responsibility to conduct himself or herself in an appropriate manner. Categories of misconduct include, but are not limited to, the following:

- 4) Obstruction, disruption, or interference with teaching, disciplinary proceedings, university- sponsored activities, and services or events.

5.3 General Responsibilities - 5.3.1 A student assumes the responsibility to conduct himself or herself in an appropriate manner. Categories of misconduct include, but are not limited to, the following:

12) Delivery of false information to university personnel.

5.4 Academic Responsibilities - 5.4.1 Each student is expected to take an active role in the learning process by meeting course requirements as specified in written syllabi.

5.4.2 Each student is expected to display appropriate conduct in classroom situations that shall enhance the learning environment.

5.4.3 Faculty members have the right to establish classroom standards of behavior and attendance requirements. Students shall be expected to meet these requirements and make contact with faculty members when unable to do so.

5.4.4 Each student is expected to maintain academic ethics and honesty in all its forms, including, but not limited to, cheating and plagiarism as defined hereafter:

1) Cheating is the act of using or attempting to use or providing others with unauthorized information, materials, or study aids in academic work. Cheating includes, but is not limited to, passing examination answers to or taking examinations for someone else, or preparing or copying another's academic work.

2) Plagiarism is the act of appropriating another person's or group's ideas or work (written, computerized, artistic, etc.) or portions thereof and passing them off as the product of one's own work in any academic exercise or activity.

Policy Title – Classroom Management – Policy # 601

4.1 Classroom Environment - 4.1.1 Faculty members are responsible for creating and maintaining an environment that is conducive to teaching and learning. Faculty members shall not permit classroom behavior that interferes with the faculty member's ability to teach and/or the students' ability to learn.

4.2 Syllabi - 4.2.1 Faculty members shall supply a syllabus for each course they teach that clearly communicates course structure, schedule, student expectations, expected course outcomes, and methods of assessment. Faculty are free to set appropriate standards for student performance in their courses, subject to institutional standards.